



Celebrating 20 years  
of delivering justice  
and saving lives

# REPRIEVE 2019 Impact Report

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# Introduction



**Anna Yearley**  
**Executive Director**

In 2019, Reprieve was fortunate to celebrate its twentieth anniversary – that’s twenty years of saving hundreds of lives around the world and holding powerful governments to account for their actions.

We have been lucky enough to be supported in our mission by thousands of supporters, staff, partners and volunteers. From the law firms that so generously give their time, to the amazing operational support we receive to ensure the casework team is able to undertake its work as seamlessly as possible, we owe our achievements to each and every one of you and we remain eternally grateful to people who choose to donate to us, no matter how large or small.

But amid this reflection on our twenty years of achievements, we were horrified when on 23rd April 2019, Saudi Arabia announced that it had beheaded thirty seven men in a mass execution – including five Reprieve beneficiaries, three of whom were juveniles at the time of their alleged

offence. No notice was given, not even to family members, and so there was no opportunity to intervene. At least six of the 37 brutally executed were juveniles at the time of their alleged offences and most, if not all, were tortured and convicted in the Kingdom’s secretive anti-terrorism tribunal, the Specialised Criminal Court. These shocking events are a stark reminder of why we do what we do, and why Reprieve was set up in the first place.

Sadly there was nothing we could have done to prevent the executions, but in these tragic instances, it is our reaction that matters. I was humbled by the response of Reprieve staff who came together to ensure the Saudi authorities would not escape international scrutiny. Thanks to their resilience, dedication and resourcefulness we were able to shine a light on these shocking actions, securing widespread condemnation of a government that continues to act with impunity.

**“ While there is injustice in the world, Reprieve will continue to pursue its mission ”**

While there is injustice in the world, Reprieve will continue to pursue its mission – a world without the death penalty and human rights abuses committed in the name of “counter-terrorism”. It is a mammoth task, but one we take on safe in the knowledge that we are supported by a huge network of dedicated staff, partners, funders and supporters. Together, we will strengthen human rights protections, giving a voice to the voiceless and stand between the hated and the haters.

I won’t be so naive to say that in another 20 years, there’ll be no need for Reprieve – and the events in Saudi Arabia certainly highlight that – but we will not cease until we have helped make the world a more just and fair place. So here’s to all we have achieved so far, and all we are yet to achieve. Thank you for standing by us.

# REPRIEVE DELIVERS JUSTICE AND SAVES LIVES.

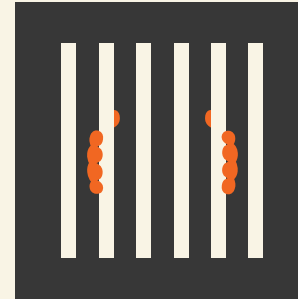
**Our vision is a world without the death penalty, or extreme human rights abuses.**

Reprieve is an organisation of courageous and committed human rights defenders. Founded in 1999 by Clive Stafford Smith and Paul Hamann, we provide free legal and investigative support to some of the world's most vulnerable people: those facing execution, and those victimised by states' abusive counter-terror policies – rendition, torture, extrajudicial imprisonment and extra-judicial killing.

Our lawyers and investigators are supported by a community of people from all around the world, connected by a belief in human rights, the rule of law, due process and justice. Together, we advocate for the victims of extreme human rights abuses with a combination of legal action, public advocacy, education, and the provision of technical advice to decision-makers.



We litigate and assist litigation on behalf of prisoners on death rows around the world, appealing their sentences, their methods of execution, and ensuring that their trials are fair and just.



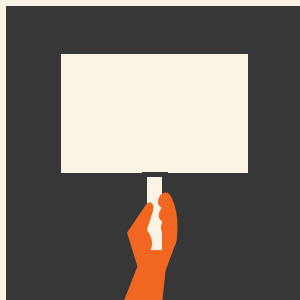
We represent detainees in Guantánamo and secret prisons, advocating for their rights; seeking to secure their safe release, access to due process and a fair trial; and publicising their unlawful detention.



We work with the pharmaceutical industry to help them stop US departments of corrections using their life-saving medicines in executions.



We investigate allegations of extreme rights abuses by state actors when foreign nationals are arrested and detained overseas.



We campaign to raise awareness about states' unlawful drone strikes that routinely kill civilians in places like Pakistan and Yemen. We help our partners in these countries to challenge drone strikes in court.



We challenge governments to intervene in order to protect the human rights and safety of their citizens.

# 20 years

Reprieve has spent the last 20 years delivering justice and saving lives around the world. From the US to the UK, Kenya to Pakistan, Egypt to Indonesia and many more in between, our work has focused wherever we believe we can achieve the most significant impact.

The cases and issues we work on are complex and progress can take years of hard work and determination. But what we do works, and we are incredibly proud of what we have accomplished over the past two decades.

It would be impossible to detail everything we have achieved in the past 20 years, so here are just a few examples of how Reprise has fought for the most vulnerable in our society, spoken truth to power and saved lives.



# 100 VOICES

We put the issues surrounding weaponised drones on the map, amplifying the voices of over 100 people affected by off-battlefield drone strikes, helping them tell their stories and fight for justice.

# 80

We have secured the freedom of over 80 men illegally detained without charge or trial at Guantánamo - more than any other law firm or NGO.

## MEN'S FREEDOM

# 100

Reprise's LAG (Life After Guantánamo) project has supported over 100 former Guantánamo detainees and their families access rehabilitation services to help them to reintegrate back into society.

## LIVES RE – HABILITATED

# 550

## LIVES SAVED

Reprise has saved the lives of over 550 people facing the death sentence around the world, and indirectly helped thousands with our strategic initiatives limiting the death penalty.

# 158

prisoners formerly sentenced to death in Malawi have received a new sentence hearing which conform to international law standards.

# 143

individuals have been released to their families and communities and are now rebuilding their lives as a result.



# 52% REDUCTION

As a result of our ground-breaking work, executions in the US are at record lows – 2019 saw a 52% decrease in executions since our work in the US began in 2010.

# A few of our success stories



## Ryan Matthews

In 2004, Reprieve helped secure the exoneration and release of Ryan Matthews, an innocent black teenager. Ryan was just 17 when he was arrested and tried for murder. Sentenced to death,

he served five years on Louisiana's death row for a murder he did not commit. Ryan was tried and sentenced in 1999 for shooting a white convenience store owner. A ski mask worn by the perpetrator was left at the scene and DNA analysis showed that Ryan could not have been wearing it. Convicted anyway on identification evidence, Reprieve's investigations led to Ryan being exonerated and released in 2004. In December 2019 Ryan graduated from college. He is married with a young family.

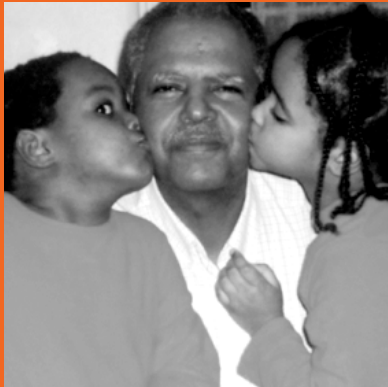


## Abdul Hakim Belhaj and Fatima Boudchar

On 10th May 2018, the British government issued an historic formal apology to Abdul Hakim Belhaj and Fatima Boudchar for the UK's role in their 2004 abduction, torture

and rendition to Gaddafi's Libya. The apology, which was read out in Parliament by the Prime Minister's representative, was, and remains to this day, unprecedented in scope for a 'war on terror' case. It says that the couple's "harrowing experiences ... [are] deeply troubling" and that the British Government "believes their accounts" of abduction and torture. It goes on to accept that the UK's actions "contributed to your detention, rendition and suffering." This hard-won apology was the result of years of campaigning and strategic legal work from Reprieve and others. The public apology was also critical in raising public awareness about the UK's complicity in perpetrating serious human rights violations in the aftermath of 9/11.





## Andy Tsege

In 2018, after tireless work from Reprieve staff and supporters, Andy Tsege received a pardon from the Ethiopian government after four years on death row. Andy is a British citizen who was living in London when he was

unlawfully sentenced to death in absentia by the Ethiopian authorities, on politically motivated charges. He was kidnapped at an international airport in June 2014 and illegally transported to Ethiopia where he spent four long years. Andy's partner, Yemi, approached Reprieve for help shortly after his detention in 2014, and we campaigned vigorously for his release, enlisting the help of MPs, celebrities and the public in the call to bring him home. Our efforts paid off: in May 2018, Andy was pardoned by the Ethiopian government and is now back home in London with Yemi, whom he has since married, and their children.



## Sami Al-Hajj

Sami Al-Hajj was amongst the first group of detainees to be taken to Guantánamo. Working as a cameraman for Al Jazeera, Sami was on his way to work in Afghanistan to cover the war when he was

seized at the country's border with Pakistan in 2001. He was detained, tortured and eventually taken to Guantánamo where he spent six long years in detention, facing torturous conditions on a daily basis. Reprieve took on Sami's case in 2005, raising awareness about his plight in international media, challenging the common narrative that Guantánamo was a necessary evil and keeping the horrific conditions that Sami was suffering at the forefront of national consciousness. In 2008, after years of dogged determination and fighting against the injustice of his detention, Sami was finally released without charge and flown back home to his family.

## Maya Foa Director

2019 was a special year for Reprieve, marking twenty years of fighting for the fundamental principles of a democratic and fair society: justice and the rule of law. What we have achieved in this time is nothing short of phenomenal. Over the last two decades we have saved lives, we have changed hearts, minds and policies all across the world and we have shone a light on some of the most egregious abuses of human rights perpetrated by state actors.

Over the last decade I have watched Reprieve grow from a small team of London-based lawyers and investigators, to an organisation that is truly global – with incredible staff, fellows and partners all over the world.

When Reprieve was founded in 1999, it was focused on providing support to British nationals facing the death penalty in the USA. Now, 20 years on, we support people of all nationalities facing the death penalty in countries all around the world. In 2002, we started working on cases of men rendered to Guantánamo Bay. As the so-called “war on terror” changed shape, so too did our work, and we now support communities terrorised by lethal drones in Pakistan

and Yemen, families detained in the name of ‘counterterrorism’ in Northern Syria, and people held in secret prisons around the world.

As our work has grown, so too have our successes.

In the US, executions are at an all-time low – with just 22 in 2019, marking the fifth consecutive year with fewer than 30 executions. That same year, 65 had been scheduled, but many were unable to move ahead thanks in large part to the groundbreaking work of our lethal injection team. In Malawi, our Resentencing Project has seen the release of over 140 individuals from death row, shrinking the size of the row to historic levels. Our innovative Stop Aid for Executions (SAFE) project has had major impacts on the death penalty in some of the world’s most prolific executing states – including in Iran, where in 2019 executions were down by 50%. Our strategic projects have helped to save thousands of lives and we hope will continue to do so long into the future.

At the heart of everything we do are the individuals. Andy Tsege, Ibrahim Halawa, Ryan Matthews, Tahir Hussain, Imdad

Ali, Ivan Teleguz, Ahmed Saddouma, Paco Larrañaga are just a few of those who are no longer facing death thanks in part to the work of Reprieve and our partners.

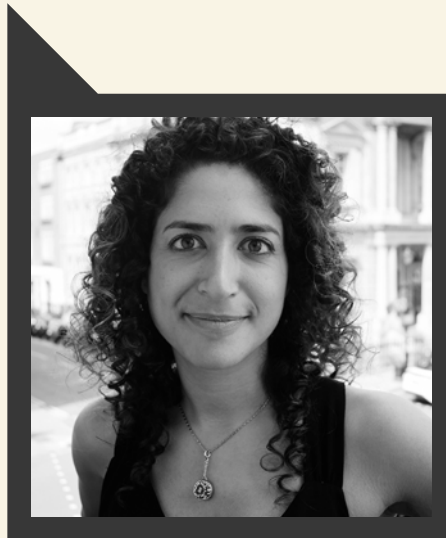
There are many, many more from all corners of the world. Reprieve will be here for as many of those facing a death sentence as we can. We know that the cogs of justice turn slowly but we also know from experience that our work can have an impact, and that it is possible to challenge and change for good systems of oppression and injustice.

Reprieve takes on hard cases and issues. Often, this means putting ourselves between powerful governments and the people they seek to abuse. And nowhere was abuse of state power more evident than in the context of the so-called “War on Terror”. Reprieve was one of the first organisations inside the detention facility at Guantánamo Bay, and I have little doubt that we will be one of the last to leave. Reprieve has represented and secured freedom for more than 80 men detained in Guantánamo, and has provided rehabilitation support to over 100 former detainees and their family members. We continue to represent seven men still in the facility and to actively advocate for its long-overdue closure.

As small and nimble organisation, Reprieve has been able to respond swiftly as new threats have emerged on the global stage. When Obama came into office, he shifted from a policy of indefinite detention without charge or trial in Guantánamo Bay, to execution without charge or trial

via drones. Reprieve took up the challenge head on in 2011, investigating drone strikes back together with our brilliant partner organisation, the Foundation for Fundamental Rights (FFR) in Pakistan. FFR won a landmark victory in a Peshwar High Court which ruled that US drone strikes constituted a ‘war crime’, and as a result, US drone strikes have largely stopped in that country. We continue to work on emerging issues, like the indefinite detention of thousands of men, women and children camps and prisons in North East Syria.

As the year drew to a close, I stopped to consider the successes we’ve had in each of the areas of our work. From the foundations built back in 1999, we have accomplished a huge amount. There is more to be done, but I’m proud of our impact, and excited to see how much more we can achieve together in the next twenty years.





## Some of our highlights from 2019

- ▶ **January:** We investigated and exposed a network of UAE-run secret prisons in Yemen. [MORE](#)
- ▶ **March:** California declares a moratorium on capital punishment. [SEE PAGE 17](#)
- ▶ **March:** Faisal bin ali Jaber wins his case: a court in Germany finds the US drone programme illegal and orders the German government to do more to ensure Faisal and his family's right to life are not threatened by US drone strikes. [SEE PAGE 31](#)
- ▶ **May:** In Pakistan, together with our partner, Foundation for Fundamental Rights, we launched The Pakistan Capital Punishment Study - a comprehensive analysis of the capital punishment jurisprudence of the Supreme Court of Pakistan. [MORE](#)
- ▶ **May:** Reprieve and partners launched the Egypt Death Penalty Index - a new open-source website that tracks every death sentence recommended by Egyptian courts since the 25 January 2011 revolution. [SEE PAGE 19](#)
- ▶ **May:** The Malawi Resentencing Project was recognised at the World Justice Challenge 2019 for its work to support new sentence hearings that complied with international human rights standards for 158 individuals formerly sentenced to death. [SEE PAGE 21](#)
- ▶ **May:** We helped reveal that the Ministry of Defence had maintained a secret policy permitting Ministers to authorise actions which could lead to torture. [MORE](#)
- ▶ **June:** Along with the Centre for Constitutional Rights, we filed an appeal against the International Criminal Court's (ICC) decision not to launch an investigation into war crimes and crimes against humanity in the Afghan conflict. [MORE](#)
- ▶ **July:** The UK Government introduced a revised policy which tightened its stance on the rendition of terror suspects, and imposed additional safeguards on the sharing of intelligence where there is a real risk of torture. [MORE](#)
- ▶ **November:** The High Court granted permission to proceed with Reprieve's judicial review into the UK Government's decision not to hold a judge-led inquiry into its role in the torture and rendition of terror suspects post 9/11. [SEE PAGE 34](#)
- ▶ **December:** Tribunal judges are divided in Reprieve's case challenging the legality of a secret MI5 policy which allows security service agents to commit serious crimes on UK soil. [SEE PAGE 33](#)



40

We undertook human rights work in 40 countries around the world.

**COUNTRIES  
WORLDWIDE**

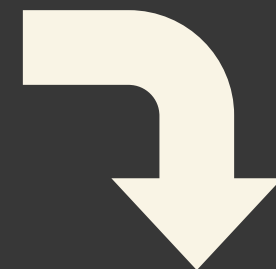
15

**PARTNER  
ORGANI-  
SATIONS**



74

We worked on the cases of 74 individuals facing a death penalty across 14 different countries.

16 **LIVES  
SAVED**

16 of these beneficiaries were saved from a death sentence or execution.

193

**BENEFICIARIES**



Global  
execution  
figures  
down by

31%

in 2019

7 **DETAINEES**

We provided legal support and representation to seven detainees in Guantánamo Bay.



**INVESTIGATIONS**

We worked on 3 investigations and cases aimed at benefitting large extended families and communities impacted by drone strikes.

We also provided legal, pastoral and resettlement support to 61 former Guantánamo detainees through our Life After Guantánamo project.

61 **SUPPORT**

# Foreword



**Lord (James) Wallace  
of Tankerness QC**  
**Chair of Trustees**

2019 has been a year of success, challenges, but most importantly, hope. As human rights continue to be violated, Reprieve has remained steadfast in its pursuit for justice, to uphold the rule of law and to defend human rights.

Much of our success over the past year has been the reward of persistent and consistent work. After years of work on US accountability for drone strikes in Yemen, we were finally able to secure justice for Faisal bin Ali Jaber when the German courts ruled that drone strikes were illegal and Germany must ensure its territory is not used by the US to carry out illegal drone strikes. Faisal brought the

claim after his brother and nephew were killed in a US drone strike in 2012.

Thanks to the courage of Faisal, and the team at Reprieve, other families will not suffer like his have. Only time will tell the true impact of the case, but it is clear that European countries cannot continue to support the US to carry out unlawful drone strikes.

Reprieve is not afraid to call out powerful governments and hold them to the highest standards – including those closest to home. Reprieve's argument is that for our country to be confident that we occupy the moral high ground in any future conflicts, we have to be certain

that we are behaving with complete propriety. The charity's work to ensure the British government delivers on its promise to hold a fully independent, judge-led inquiry into UK complicity in US torture and the extraordinary rendition of individuals as part of the so-called 'war on terror' is this ethos in action. When the High Court granted permission to proceed with the judicial review into the failure of the government to hold an inquiry towards the end of the year, this was a monumental achievement for the team. The government now has a case to answer over its failure to properly investigate UK involvement in the so-called war on terror, torture and rendition.

While Reprieve often seems like the underdog, the courage, resilience of our campaigning staff, their agility in identifying opportunities to advance our objectives and their constancy in standing up for what is right is what makes Reprieve a force to be reckoned with.

Victories like these that make me really proud to be part of an organisation like Reprieve. Its impressive achievements in the face of challenging environments and powerful governments is thanks to not only our dedicated staff, but also our loyal supporters who continue to stand alongside us through the most challenging of battles.

# DEATH PENALTY



# DEATH PENALTY

## [Strategic Projects]

Reprieve works to limit the application of the death penalty by chipping away at its use, challenging systems of injustice and running thematic campaigns to change public perceptions of its existence.



# SAFE PROJECT IN IRAN



**Reprieve's Stop Aid For Executions (SAFE) project aims to prevent aid or assistance from abolitionist states being used to prop up the death penalty in retentionist states.**

## THE PROBLEM

In 2013, Reprieve set out to expose the implications of European support specifically for Iranian counter-narcotics programmes.

European governments were providing significant sums of money, equipment, training and intelligence for Iranian drug operations which routinely result in death sentences and executions for those arrested.

## OUR WORK

Reprieve helped raise awareness among European governments as to the consequences of such aid. We uncovered and publicised the links between European funding and the execution of drugs offenders, working alongside countries to help put conditions on aid to ensure that assistance supports a rights-based approach with a focus on harm reduction, instead of contributing to executions.

### *In the media:*

#### **Iran Under Pressure to Abolish Death Penalty for Drug Trafficking**

**THE GUARDIAN**



### **As a result of our work:**

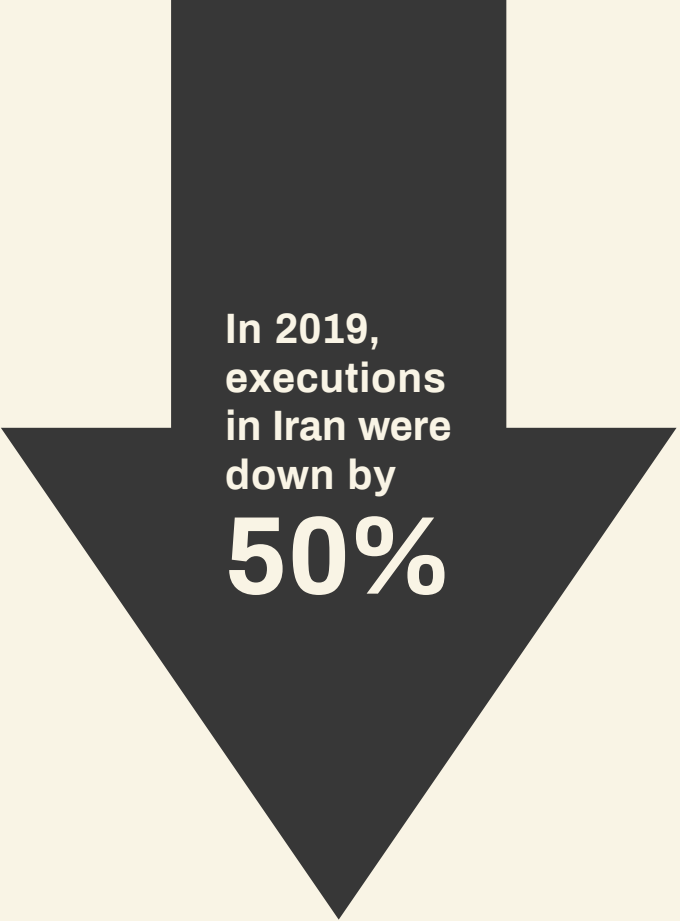
The Iran Human Rights 2015 annual report on the death penalty cites Reprieve's SAFE project as a factor in increasing international pressure and changing the Iranian Governments approach to the issue.<sup>1</sup>

By March 2016, Reprieve had received written confirmation from the UK, Italian, German and Austrian governments that these states will not fund the UN's new counter-narcotic program in Iran. This was a direct result of our research and engagement on the issue.

In June 2016, the Guardian reported that seven European states are no longer contributing to Iran's counter-narcotics programme until it abolishes the death penalty for drug offences.

In July 2016, the European Commission confirmed to Reprieve that they have turned down funding counter-narcotics for Iran in response to our advocacy efforts.

In August 2017, the Iranian parliament amended its anti-narcotics law, raising the threshold for a death sentence to possession of 50kg of opium, 2kg of heroin or 3kg of methamphetamine. Under the previous law, possessing 5kg of opium or 30g of heroin was a capital offence.<sup>2</sup>



**In 2019,  
executions  
in Iran were  
down by  
50%**

This is a prime example of how the results of our work are not instant and the true impact can take years to materialise. Six years from starting this work, we are finally seeing a positive impact.

The aim of the SAFE project is to save lives. Whilst it is still too early to determine the *full* effects of the amended anti-narcotics law, in 2019 Iran recorded 50% less executions compared to the previous year.<sup>3</sup> The Iran Human Rights annual report on the death penalty 2018 directly cites Reprieve as one of the international NGOs responsible for urging the UNODC to freeze counter-narcotics funding to Iran. It goes on to state that that international pressure on the Iranian authorities and thus the increased political costs of continuous executions of drug offenders is most likely the factor which triggered the sudden change in the Iranian authorities' rhetoric and attitude towards the use of the death penalty.<sup>4</sup>

1 Iran Human Rights, 2016, Annual Report on the Death Penalty in Iran in 2015, page 15, [https://iranhr.net/media/files/Rapport\\_iran\\_2014-GB-120314-BD.pdf](https://iranhr.net/media/files/Rapport_iran_2014-GB-120314-BD.pdf)

2 The Anti-Narcotics Law of the Islamic Republic of Iran', 8 November 1997, amended November 2017

3 Amnesty International Death Penalty report 2019

4 Iran Human Rights, 2019, Annual Report on the Death Penalty in Iran 2018, page 51, [https://iranhr.net/media/files/Rapport\\_iran\\_2019-GB-BD.pdf](https://iranhr.net/media/files/Rapport_iran_2019-GB-BD.pdf)

# PREVENTING MISUSE OF MEDICINE



**This project works to prevent the misuse of medicines in lethal injection executions in the US. We do this by providing advice and support to global pharmaceutical manufacturers, distributors, investors and regulators of life-saving drugs that have the potential to be misused in life-ending executions.**

Reprieve's strategic work on cases and issues related to method-of execution has helped contribute to the decline in capital punishment in 2019:

- In 2019 there were 22 executions and 34 death sentences. This marked the fifth consecutive year with fewer than 30 executions and 50 death sentences, reflecting a long-term decline of capital punishment across the US;
- Of the 65 scheduled execution dates set in 2019, nearly two-thirds (42/65) did not go forward and over 30% of stays were due to lethal injection issues;
- The vast majority (76%) of the states that retain the death penalty did not carry out a single execution in 2019, due in part to issues sourcing lethal injection drugs;
- Nearly half (45%) of all lethal injection executions in 2019 were carried out by just one state – Texas;
- In March 2019, California imposed a moratorium on executions and a temporary reprieve for all inmates on the state's death row, and in May 2019, New Hampshire became the twenty-first state to abolish the death penalty;
- Ohio also took a step closer to abandoning lethal injection when reprieves were granted to six death row prisoners, with the governor citing concerns about botched lethal injection executions and the public health risks of buying execution drugs in secret;
- In November 2019, for the first time since Gallup began asking the question in 1985, a majority of Americans (60%) expressed a belief that life in prison without parole is a better approach for punishing murder than the death penalty.

We continue to see the decline of the use of capital punishment in the US, with execution numbers at historic lows and public opinion on its use waning. There is still a long way to go but our work has undoubtedly saved lives and we have changed the death penalty landscape for the better.

# DEATH PENALTY

## [Regional casework]

Reprieve fights to save individuals from execution by taking on cases most likely to create systemic change, highlighting the cases of the most vulnerable individuals facing the death penalty and shifting public perceptions of these key issues.

# CASE STUDY: EGYPT



**Egypt continues to apply the death penalty at an unprecedented rate. It is being used as a tool of political repression – resulting in juveniles, protestors and human rights defenders being sentenced to death.**

Reprieve, alongside our partners in Egypt, has continued to document the number of death sentences handed down in the country through the [Egypt Death Penalty Index](#), bringing transparency to an otherwise opaque system.

## HATEM ZAGHLOUL



In May 2019, Reprieve client Hatem Zaghloul (left) received a presidential pardon and has now been freed. Hatem, who was sentenced to death as a child in Egypt in 2014, was taken from his bed in the middle of the night, falsely accused of being involved in an attack on a police station and sentenced to death in a mass trial of 545 people. After tireless work from Reprieve's lawyers, investigators and campaigners, his sentence was reduced to ten years, which in turn led to a pardon from the Egyptian President.

## AHMED SADDUMA

In June another Reprieve client, also facing the death penalty in Egypt, had his sentence reduced to 15 years imprisonment. Ahmed Saddouma was just 17 when he was tortured into confessing to a crime which had actually happened three weeks after he was abducted in the middle of the night by Egyptian law enforcement. Although the court has reduced his sentence, Ahmed should not be in prison at all.

We are continuing to campaign for his release.



## CASE STUDY: SAUDI ARABIA



**In a year when Saudi Arabia executed 185 people, the most in a calendar year since Reprieve began tracking executions, our work in the region has never been more important.**

**In adverse circumstances, we came together to ensure the actions of the Saudi authorities were not allowed to go unnoticed.**

On 23rd April, Saudi Arabia's official press agency announced that the state had killed 37 people in a mass execution – including five Reprieve clients. No notice was given of the imminent executions, not even to their families. At least six of those executed were children at the time of their alleged offences and most, if not all, were convicted in the Specialised Criminal Court, the Kingdom's secretive and widely condemned anti-terrorism tribunal.

We immediately launched a supporter campaign, submitted an Urgent Question which led to a cross party discussion in the

House of Commons and we also submitted a Private Notice Question in the House of Lords. We worked alongside a number of MPs to submit letters to ministers within the UK Foreign and Commonwealth Office, and reached out to many other foreign missions and embassies to ensure maximum international pressure was placed on Saudi Arabia. Reprieve is continuing to call on the UK government to speak up to condemn these appalling executions, and call for the release of others who were arrested and tortured as teenagers and who are still at risk of execution – including our juvenile clients Ali al-Nimr, Dawood al-Marhoon, and Abdullah al-Zaher.

### *In the media:*

**They were convicted of minor crimes as teens and now face beheading and 'crucifixion'...**

ABC NEWS

**Saudi minor facing death penalty is not alone there have been many others**

THE WASHINGTON POST

**Saudi executions: Dozens killed included some arrested as juveniles**

MIDDLE EAST EYE

**Saudi Arabia Executes 37 Citizens, Drawing Fire from Rights Groups**

THE WALL STREET JOURNAL

## CASE STUDY: MALAWI

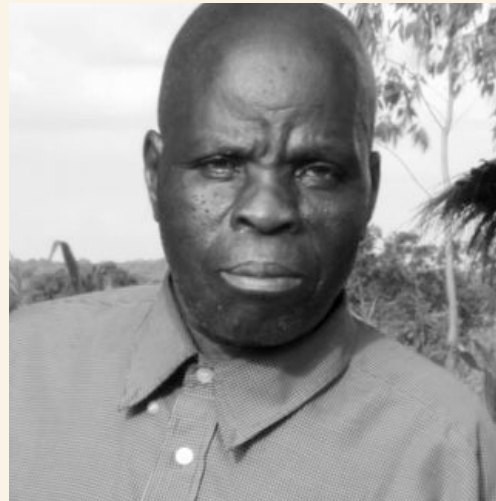


### Reprieve and its partners launched the Malawi Resentencing Project following the abolition of the Malawi mandatory death penalty in 2007.

The aim of the project was to secure new hearings that meet international fair trial standards, and provide prisoners with the very best defence. The project has been hugely successful, and to date has seen over 158 individuals receive a new sentence and of these 143 have been released and are now back with their families and communities.

### BYSON KAULA

One of those supported through the Malawi Resentencing Project was Byron Kaula.



Byson was carrying a sick employee down some stairs to help him to the bath and slipped. When Byron slipped, that man fell and died. Because Byron slipped, he was sentenced to death.

Byson spent 23 years on Malawi's death row, but he is now free and back home. He now takes care of his mother who is in her 80s and works at a halfway house, counselling other prisoners through their transition to life after prison. He says when he lived in prison, he was not himself – now that he is free, he feels that he is truly himself again.

Byson is only one of many people Reprieve helped get a second chance in Malawi. Reprieve's investigators, lawyers and campaigners started working in Malawi following the repeal of the mandatory death penalty. We wanted to help Byron and over 150 others in his position take advantage of a second chance at life.

Byson's story has a happy ending, but our work is not done yet. The death penalty is still used in Malawi, and Reprieve continues to work with partners there to prevent death sentences altogether.

## INTERNATIONAL RECOGNITION FOR THE MALAWI RESENTENCING PROJECT

The Malawi Resentencing Project was recognised at the [World Justice Challenge 2019](#) for its achievement and impact in advancing access to justice and the rule of law. The World Justice Challenge is a competition to identify, recognise, and promote good practices and successful solutions to improve access to justice. The project was selected to be showcased at the World Justice Forum in The Hague alongside 30 other projects and was voted as one of five overall winners.

The project has been heralded as one of the most successful resentencing projects in the world – securing the release of over 140 people to date – and we are delighted that it has been recognised at an international level. The project has helped some of the most vulnerable people in Malawian society – prisoners and their families – to rebuild their lives. Not only is this award a testament to all the hard work of those involved, it is also an example of how effective partnership working between international NGOs such as Reprieve and the Cornell Center on the Death Penalty Worldwide, and local organisations such as Malawi Legal Aid Bureau, Malawi Human Rights Commission, Paralegal Advisory Service Institute and the Centre for Human Rights Education, Advice and Assistance can not only build capacity and develop best practice, but also save lives.

**Our work in Malawi continues, our aim is to reduce and eventually abolish Malawi's death row.**

**The success of the project has led to a wider conversation about the unfairness of the death penalty, the risk of executing the innocent, and the possibility for rehabilitation of every person, no matter the crime committed.**

**In this sense, the project has helped pave the road for worldwide abolition of the death penalty.**



## CASE STUDY: KENYA



**Our ultimate goal is to support Kenyan stakeholders to replicate the success in Malawi and ensure that vulnerable groups in Kenya receive access to justice which conforms to international law and regional best practice.**

### KENYAN RESENTENCING PROJECT

In December 2017, Kenya's Supreme Court ruled that the mandatory death penalty was unconstitutional. This historic ruling made over 4,000 prisoners eligible for a sentence rehearing. The prisoners were all sentenced to death under mandatory provisions, without consideration of mitigating factors - such as mental illness, intellectual disability, self-defence, and fair trial violations - in violation of international minimum standards on the death penalty.

The Kenyan Task Force on Resentencing has been given the responsibility of developing proposals for how to go about delivering new sentencing hearings for so many people – a considerable logistical, political, legal and financial challenge. Reprieve has been working closely with the Task Force to support its undertaking, sharing our learnings from Malawi, and facilitating peer-to-peer learning with other actors involved in Malawi's process and feeding into its recommendations for how to take on such a major challenge. Our input focused on a number of issues including mitigation

investigations, consideration of any and all mitigating circumstances, consideration of serious violations of constitutional rights, ensuring prisoners are not penalised for missing case files, sensitising communities of returning prisoners and other rehabilitation measures, such as halfway houses. All of these suggestions were incorporated, in some way, into the Task Force Recommendations, that were filed before the Kenyan Supreme Court in October.

Our ultimate goal is to support Kenyan stakeholders to replicate the success in Malawi and ensure that vulnerable groups in Kenya receive the access to justice which conforms to international law and regional best practice. In doing so, the project aims to considerably reduce the size of Kenya's death row, bring Kenya's capital punishment regime more in-line with international standards and significantly closer towards abolition, and facilitate the successful reintegration of thousands of prisoners, enabling them to play a productive role in their communities.

## CASE STUDY: KRIS MAHARAJ



**Kris Maharaj is a British man who was sentenced to death in Florida in 1987 for two murders he did not commit. Reprieve has been working on his case for over 20 years.**

After years of investigation, we discovered that the two men Kris was accused of killing were laundering billions of dollars for Colombian drug lord Pablo Escobar, and that his cartel had the men killed after they lost or stole some of that money. Six members of the cartel have since admitted responsibility for the murders. This work led to the commutation of his sentence from death to life imprisonment yet Kris, who is now 81 and in failing health, remains in Florida's prison system, where he has now spent 33 unjust years. He would be eligible for parole aged 101. For Kris, "life" is a death sentence in all but name. We have continued to seek justice for Kris.

On 13th September, we thought we had finally achieved a breakthrough in the case when the magistrate judge ruled that Kris was innocent "by clear and convincing evidence" such that "no reasonable juror" could convict him. This is, bizarrely, not enough for release in the US, as the trial must be shown not merely to have reached the wrong result, but also to have been unfair. Therefore, the judge ordered an evidentiary hearing for 17th October which would allow the court to hear evidence of how evidence was suppressed but the prosecution. However, this hearing was delayed by the government not once but twice.

**It is completely irrational that someone who is deemed innocent should remain in prison.**

**We will continue to fight for justice and seek Kris' release.**

### *Messages of support:*

Good luck, keep hopeful Kris and Marita. Thinking about you.

You are not forgotten, Kris

Kris & Marita – stay strong, you are not alone!

We know you are INNOCENT. We're thinking of you.

I am so sorry Kris. You have so much support behind you and we are standing with you!

**+ 5,380 MORE**

# SECRET PRISONS



# CASE STUDY: GUANTÁNAMO

**Guantánamo Bay has become the enduring symbol of injustice for our generation. It stands for torture, abuse and indefinite detention without charge or trial.**



## REPRIEVE'S GUANTÁNAMO CLIENTS

- Saifullah Paracha is Guantánamo's oldest detainee at 72 years old. The father of four has been detained for over 15 years without charge or trial and is in extremely poor health.
- Ahmed Rabbani, a Pakistani taxi driver who was arrested in a case of mistaken identity, endured 540 days of torture in CIA custody before being sent to Guantánamo – he has still never been charged with a crime despite being detained now for 18 years.
- Khalid Qassim, an artist who has spent 17 years in Guantánamo, and has used his time there to learn English and Spanish. He too has never been charged with a crime.
- Abdul Latif Nasser was cleared for release by six US departments and security agencies in 2016. President Trump came to power in 2017, before the bureaucracy around his release could be completed, and said no one could leave Guantánamo, leaving Abdul Latif detained ever since. He has a loving family to return to and a home country that is ready and willing to accept him.
- Haroon Gul is an aspiring beekeeper who grew up in a refugee camp. He has spent his time in Guantánamo learning English so he can support his daughter's education on his eventual release. But for the time being, he remains locked up without a charge.

**The cost of detaining the men that remain in Guantánamo is astonishing. In September 2019, a report by the New York Times revealed that an estimated \$13 million of US taxpayer money is spent every year on each of the 40 men that remain locked up. This makes it the world's most expensive detention programme.**



## 2019 DEVELOPMENTS

**Reprieve continued to raise the profile of the men detained in this notorious detention centre and the ongoing injustice they suffer.**

- On 11th January 2019 – the 17th anniversary of Guantánamo’s opening – we reignited our campaign to close the detention centre, highlighting the financial and human cost of keeping it open.
- On Saturday 17th August, Guantánamo’s oldest detainee, Saifullah Paracha, turned 72. Although not an achievement to be celebrated, it was an occasion we did not want to forget. Reprieve collected messages to send to Saifullah to mark his birthday and struggle for justice. We received over 4,600 messages of support for Saifullah which we passed onto him in Guantánamo. He has since told us ‘this revives my status as a human being’.
- More than 40,000 supporters have joined our campaign to close Guantánamo for good.

Thanks to Reprieve’s efforts, support for Guantánamo is wavering as more and more people become aware of the injustice of locking someone away for 17 years without trial or charge.

### *In the media:*

**The Guantanamo Bay prisoner whose fate was sealed by a Trump tweet**

INDEPENDENT

**‘May never leave Guantanamo alive’: Abdul Latif Nasser’s struggle for freedom 3 years after he was cleared for release**

ABC NEWS



## NO WAY OUT – HIGHLIGHTING THE INEFFECTUAL PERIODIC REVIEW BOARD

The PRB is a process whereby Guantánamo detainees can – in theory – be cleared for release if they are deemed to not be a “significant threat” to the security of the US. In reality, the process is serving as a justification for indefinite detention without charge or trial, rather than a mechanism for facilitating releases.

International humanitarian law dictates that an administrative body overseeing continued law of war detention must be independent and impartial. The PRB, as it currently operates, fails to meet any standards of independence and impartiality:

- There is no transparency in the Board’s procedures
- The Board has no decision-making power
- The Board does not have access to highly relevant information
- Members of the Board and its Senior Review Committee are not independent, but are part of the military and the Executive Branch

The PRB acts as a conduit for decisions which ultimately lie with the executive branch – a branch currently led by a President who has publically declared that “there should be no further releases from Gitmo.”

Through campaigns seeking to highlight the issues with the PRB process, and injustices at Guantánamo more broadly, Reprieve has continued to grow support for our movement to ‘Close Guantánamo’ for good.

In January, and on the 17th anniversary of the opening of Guantanamo Bay, reprieve launched a report, video clip and quiz highlighting that the Periodic Review Board (PRB) process is now completely defunct. Reprieve has continued to grow support for our movement to ‘Close Guantanamo’ for good – our quiz was shared more than 500 times and viewed almost 15,000 times.

More information on the PRB process can be found in Reprieve’s report: [No Charge, No Trial, No Exit.](#)

## LIFE AFTER GUANTÁNAMO

Over the past year, we have assisted 61 people through our Life After Guantánamo (LAG) project. Across the lifetime of the project, we have supported over a hundred men and their family members rebuild their lives following detention.

In many ways, we would have hoped that LAG would be wound up by now, but 2019 saw the project turn 10 years old. The project is designed to assist detainees and their families both before, in preparation for, and after they leave Guantánamo. LAG continues to be the only rehabilitation project exclusively focused on torture victims who have been held at Guantánamo Bay and their families.

### In 2019:

- Reprieve advocated on behalf of former Guantánamo detainees arbitrarily detained in secret detention sites without charge, three of whom were subsequently released.
- We successfully advocated to host governments to provide vocational training, language learning, income support and appropriate housing for former detainees, who are now in a much more secure position to rebuild their lives.
- We launched a pilot online counselling scheme for beneficiaries who desperately need psychological help, but are living somewhere they are unable to access these services – such as war torn countries or very rural locations. We hope to be able to roll the scheme out to others in need in the future.
- Two former Guantánamo detainees confirmed having been granted permanent residency in their resettlement country after Reprieve’s interventions.

# ASSASS- INATIONS



# CASE STUDY: DRONES IN YEMEN

**Reprieve has been conducting investigations into extrajudicial killing carried out via US drones and private mercenaries in Yemen.**



## AL AMERI FAMILY

Reprieve has been investigating strikes on the Al Ameri family who have been targeted seven times, killing forty-two members of the extended family – none of whom appear to have any connection to Al Qaeda. In July 2019, Reprieve made submissions to the UN Group of Eminent Experts on Yemen (GEE) on these issues and our findings were reflected in the September 2019 report of the GEE. In October 2019, Reprieve conducted an on-the-ground investigation which has helped us establish the facts of the case and strengthen our relationship with the family. We will use this information to hold the US government to account for its unlawful drone programme.

## YEMEN DRONES INVESTIGATION

In March 2019, and in partnership with WITNESS, Reprieve delivered a four day workshop in Amman, Jordan, with six members of the Yemen Coalition for Monitoring Human Rights Violations. The participants included five investigators, in addition to the Director of the Coalition, who will be overseeing the investigators in their work. The goal of the workshop was to train and upskill the members of the Coalition to equip them with the skills, knowledge and resources needed to conduct in-depth investigations into drone strikes in Yemen, and collect the high-quality evidence, interviews and stories needed to effectively challenge the US' illegal drone programme.



## FAISAL BIN ALI JABER

**Faisal bin Ali Jaber is an engineer from Yemen. His brother-in-law Salem and nephew Waleed were killed by a US drone strike in 2012. Salem was an imam who was known for speaking out against al-Qaeda in his sermons, and Waleed was a local policeman.**

**The US has never accepted responsibility.**



Reprieve has been working with Faisal since 2012 to seek meaningful justice from the US government for the killing of his family, including providing a Congressional briefing in Washington DC, providing evidence before the European Parliament and litigation in both US and German courts.

Through our investigations, we discovered that German military bases were being used to launch US drone strikes in Yemen – including the strike that killed Faisal's relatives. We therefore helped Faisal sue the German government.

Reprieve worked with partner organisation the European Centre for Constitutional and Human Rights to launch the case in 2014. Reprieve provided crucial evidence to the court and after years of litigation, in March 2019, the court issued a landmark ruling, finding strong reasons to suspect that US drone strikes in Yemen violate international law and that the German government must ensure that US activity conducted from Ramstein Airbase does not violate international law.

The landmark case is the first time a European country has been found to play an essential role in US drone strikes, with the court ruling that Germany has a duty to protect the right to life of those being targeted.

This result has been a long time coming for Faisal, who finally has some sense of justice for the tragedy that he and his family has endured.

His dedication to holding the US and European allies to account mean that these powerful forces can no longer act with impunity.

The German government appealed the Higher Administrative Court's decision, and Reprieve provided a briefing on the current state of drone strikes to the court in response in October 2019. We are awaiting the Appeal Court hearing later in 2020. In the UK, the All Party Parliamentary Group on Drones/Modern Warfare has used this case to leverage the issue within the Houses of Parliament.

### ***Faisal bin Ali Jaber, said:***

***“I brought this case because I don't want any other families to suffer the way that mine has. Losing innocent family members, by mistake, to a US drone strike is something that no one should have to go through. The US drone programme could not function without support from European countries like Germany and the UK. It is long past time these governments stepped up to prevent more innocent people being killed by US drones.”***

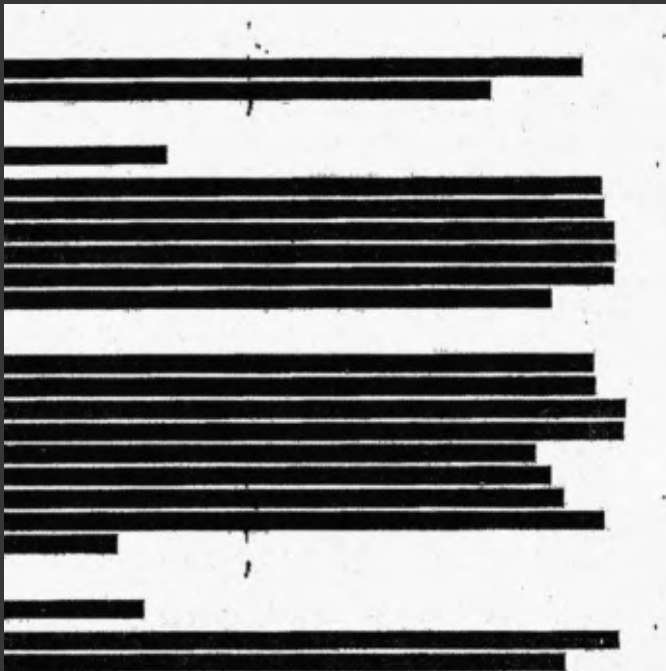
# TORTURE & RENDITION



# THIRD DIRECTION

**There are three orders that regulate criminal activity by the British security services. Two are published. One is secret.**

**What is the 'Third Direction'?**



On Friday 20th December, The Investigatory Powers Tribunal (IPT) handed down its judgment in a case challenging the legality of the secret MI5 policy which allows security service agents to commit serious crimes on UK soil.

After the existence of the secret policy was first revealed earlier on in these proceedings, Reprieve and Privacy International joined forces with the Pat Finucane Centre and the Centre for the Administration of Justice to bring a case arguing that the policy is unlawful and risked Government involvement in severe human rights abuses.

In the decision, the judges decided by a slim majority of 3-2 that the policy was lawful and could remain secret. Whilst not the outcome we had been hoping for, we fully intend to challenge the decision in the Court of Appeal.

In its 20 year history, the IPT has made almost two thousand decisions, but this is the first case in which there has been a dissenting opinion, with one judge warning that the Government's claimed basis for the policy amounts to a 'dangerous precedent', and another noting the court had been asked to accept 'fanciful' and 'extraordinary' propositions.

## *In the media:*

**MI5: Power for informants to commit crimes is ruled 'lawful'**

BBC NEWS

**MI5 informants DO have a 'Licence to KILL': Policy allowing moles to murder, kidnap and torture to maintain cover is LEGAL, tribunal rules**

DAILY MAIL

**MI5 policy allowing informants to commit serious crimes ruled lawful**

THE GUARDIAN

**Court Rules British MI5 Agents Can Murder, Kidnap and Torture**

BLOOMBERG

# UK COMPLICITY



**For a number of years, Reprieve has been calling for an independent, judge-led inquiry into UK complicity in the US torture and rendition programme implemented after 9/11.**

The UK's torture guidance currently fails to explicitly prohibit Ministers from authorising action that carries a real risk of torture.

Following the UK Government's announcement in July 2019 that it would not be opening an inquiry into allegations that the UK government had been complicit in the torture and rendition of terror suspects after 9/11, Reprieve, alongside David Davis MP (Conservative) and Dan Jarvis MP (Labour) as co-claimants, commenced judicial review proceedings against the Government, challenging its decision.

At the end of November, the High Court granted permission to proceed with the judicial review – a fantastic and hard fought result for the team. The government now has a case to answer over its failure to properly investigate UK involvement in 'war on terror' torture and rendition.

The substantive hearing will take place in autumn 2020.

## *In the media:*

**Torture: Britain breaks law in Ministry of Defence secret policy**

THE TIMES

**MoD says revised torture guidance does not lower standards**

THE GUARDIAN

**MoD denies creating secret torture policy in breach of laws**

THE TELEGRAPH

**Outcry over MoD 'Torture loophole'**

THE WEEK

# 2019 FINAN- CIALS

## **Total income: £2,851,815**

Increase of 15.0% from 2018

## **Total expenditure: £2,936,697**

Increase of 12.2% from 2018

The increase in expenditure was reflected in the budget for 2019 including decisions to increase staff in strategic areas of work and strategic investments.

Reprieve's expenditure is allocated into two main categories: charitable activities, and the cost of raising funds. Our charitable activities comprise the costs of providing:

- Investigation
- Legal assistance
- Public education on the death penalty and human rights abuses in counter-terrorism

Expenditure on charitable activities was £2,550,897 in 2019

- £1,528,548 on death penalty
- £1,022,349 on human right abuses in counter-terrorism (assassinations, torture, secret prisons)

**In 2019, 89.4p of every £1 donated to Reprieve was spent on our charitable mission. The remaining 10.6p was spent either raising necessary funds needed for us to continue to operate to the best of our ability or was retained for future use.**

## BOARD OF TRUSTEES

(as at 31st December 2019)

**Lord (James) Wallace  
of Tankerness QC**

*Chair*

**Nasir Ahmad**

**Tanya Steele**

**Nadege Genetay**

*Treasurer*

**Adrian Cohen**

**Dr. Andrew Graham**

**Ursula Owen**

**Samir Shah**

**Simon Tuttle**

**Ayesha Hazarika**

*Appointed 17 July 2019*

**Stephen Kinsella**

*Appointed 23 October 2019*

**Alexandra Pringle**

*Appointed 23 July 2019*

## PATRONS

**Alan Bennett**

**Julie Christie**

**Baroness (Martha)  
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**Lord (Ken) Macdonald  
of River Glaven QC**

**Paul Hamann**

**Gordon Roddick**

**Lord (Richard) Rogers  
of Riverside CH**

**Ruth Rogers**

**Jon Snow**

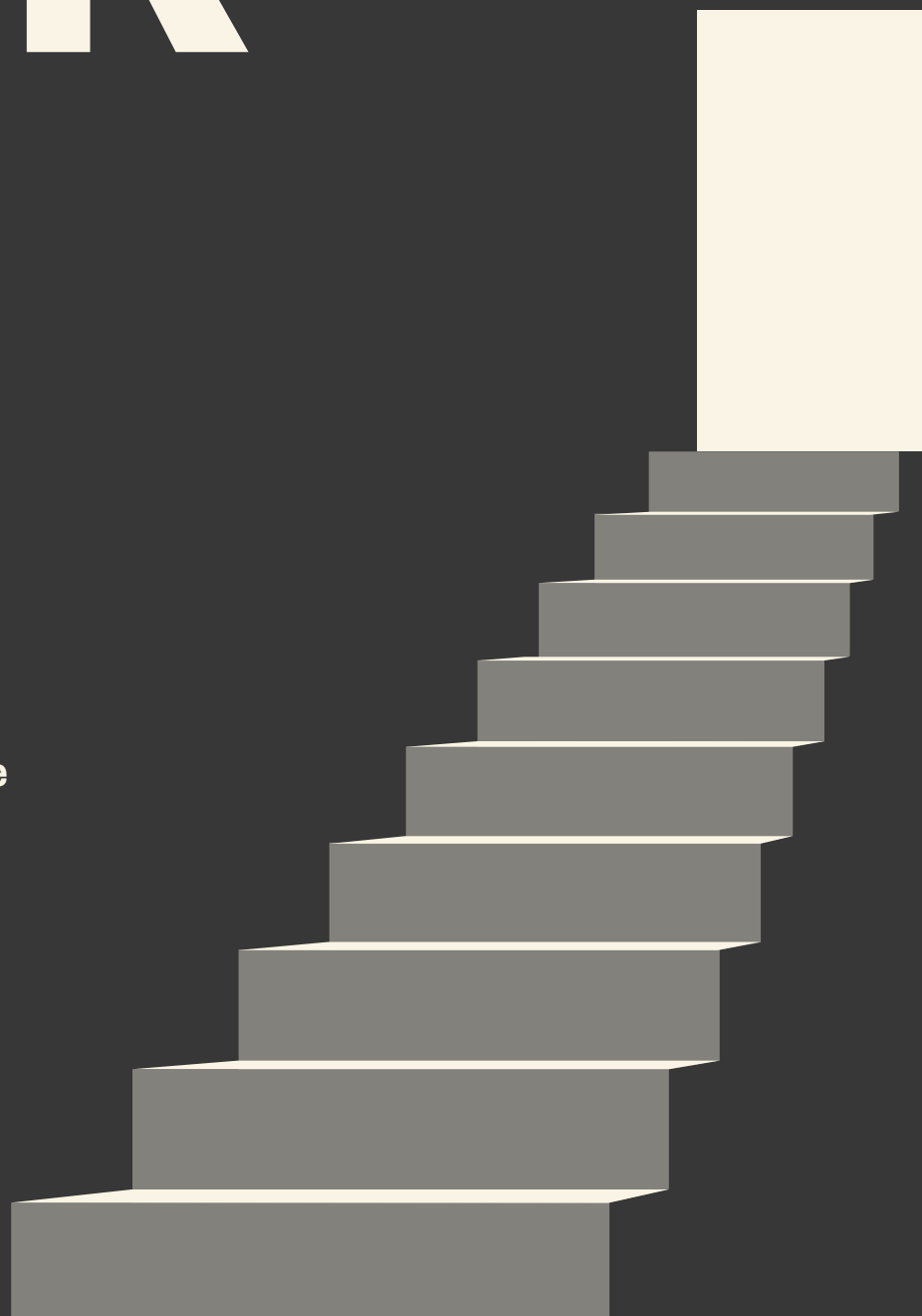
**Maria Warner**

**Dame Vivienne  
Westwood**

# Thank you

Thank you to everyone that has made 20 years of Reprieve possible. As this report demonstrates, we have achieved a huge amount in that time, but we still have a long way to go to abolish the death penalty and end human rights abuses in counter-terrorism.

**Together we will continue to speak truth to power and seek justice for some of the most disenfranchised people in society.**



# REPRIEVE

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